



#3

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare:

That my residence, post office address and citizenship are as stated below next to my name.

That I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **MALARIA IMMUNOGEN AND VACCINE** the specification of which (check one)

is attached hereto.

was filed on August 15, 2001 as Application, Serial No. 09/931,325 and was amended on _____ (if applicable).

That I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

That I acknowledge the duty to disclose information known to be material to patentability of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

That I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number) _____ (Country) _____ (Day/Month/Year Filed)

Yes No

(Number) _____ (Country) _____ (Day/Month/Year Filed)

Yes No

That I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

United States Application(s)

60/225,813 _____ 8/16/00 _____ Pending _____
(Application Serial No.) (Filing Date) (Status)-(Patented, pending, abandoned)

(Application Serial No.) _____ (Filing Date) _____ (Status)-(Patented, pending, abandoned)

(Application Serial No.) _____ (Filing Date) _____ (Status)-(Patented, pending, abandoned)

That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint the following attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to: WELSH & KATZ, LTD., 120 South Riverside Plaza, 22nd Floor, Chicago, Illinois 60606-3913, Telephone No.: (312) 655-1500:

Attorney

Donald L. Welsh
A. Sidney Katz
Richard L. Wood
Jerold B. Schnayer
Eric C. Cohen
Joseph R. Marcus
Gerald S. Schur
Gerald T. Shekleton
James A. Scheer
Daniel R. Cherry
Kathleen A. Rheintgen
Edward P. Gamson
Thomas W. Tolpin
Shannon L. Nebolsky
Mitchell J. Weinstein

Registration No.

16,665
24,003
22,839
28,903
27,429
25,060
22,053
27,466
29,434
29,054
34,044
29,381
26,700
41,217
37,963

Full name of sole or one joint inventor:

Birkett, Ashley J.

Inventor's signature:



Date:

17 SEPT. 2001

Residence and Post Office Address:

2409 Old Ranch Road

Escondido, CA 92027

Citizenship:

United Kingdom

Address for Correspondence:

WELSH & KATZ, LTD.
120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606-3913